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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/679,463	10/07/2003	Jihyun Ahn		3161

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510 W. Bemont Ave. # 1410
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7590

06/20/2007

EXAMINER

ROSS, DANA

ART UNIT	PAPER NUMBER
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3722

MAIL DATE	DELIVERY MODE
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06/20/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/679,463

Applicant(s)

AHN, JIHYUN

Examiner

Dana Ross

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 44-56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 44-56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 44-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strasbourg (CH-620,641).

Re claim 44 and 56, Strasbourg teaches a plurality of sheets (F numbered 1 to n) having oppositely facing front and rear surfaces (see figure 1), the plurality of sheets comprising a plurality of sheet sets (A and B).

Strasbourg teaches the book having a peripheral edge (see area of reference number E of figure 3, examiner notes that there are additional peripheral edges of the book as found throughout the different sides of the book, see figure 3 again for example)

Strasbourg teaches the peripheral edge having a first engagement location and a second engagement location that is different than the first engagement location (examiner notes that on any specific sheet peripheral edge, there are an unlimited number of "engagement locations", for example where a thumb or finger can randomly engage the sheet edge). Examiner notes that there is no specific structure to the engagement locations at this time. One engagement member being located in the area of A1 of page 1 of figure 1, and another engagement member being located in the area missing on page 1 of figure 1, across from the location of B1 of the following

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page (still, there are numerous engagement locations between these two linearly separated corners as shown in figures 1 and 3).

Strasbourg teaches a binding (B) that maintains the plurality of sheets together in a stacked arrangement with a top sheet and bottom sheet (see figure 2, for example). Examiner further notes that it is well known in the art to have a book with a front and back cover (sheet) with a binding for connecting the book.

Strasbourg teaches the plurality of sheets (n) comprising a first sheet set (A) within which each sheet has a front surface; a second sheet set (B) within which each sheet has a front surface; at least one sheet (n) in the second sheet set (B) set between sheets (n) in the first sheet set (A); and at least one sheet (n) in the first sheet set (A) between sheets (n) in the second sheet set (B). See figure 1, for example which shows at least one sheet (2) of second sheet set (B) located between at least one sheet (1 and 3) of first sheet set (A).

Strasbourg teaches the front surfaces of the sheets in the first sheet set (A) having a first engagement portion at the first engagement location (see area of A1, A2...An of first sheet set (A) in figure 1); the sheets in the second sheet set (B) and at least one sheet between sheets in the first sheet set (A) (examiner notes that this is the sheets in sheet set (B)) having cutouts at the first engagement location (see comparison of sheets 1 and 2 in area of A1 of figure 1) so that the first engagement portions are serially engaged at the first engagement location and exposed by continuously gripping the book at the first engagement location (A1-An) and flipping the plurality of sheets from back to front without engaging the front surfaces of the at least one sheet in the second sheet set (B) between sheets in the first sheet set (A) (examiner notes that this is the sheets in the sheet set (B)); thereby serially exposing the front surfaces of the sheets (n) in the

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first sheet set (A) without exposing the front surfaces of the at least one sheet in the second sheet set (B) between the sheets in the first sheet set (A) (examiner notes that this is the sheets in sheet set (B)). See figure 1 which shows the engagement areas of A1-An for sheet set A and the engagement areas of B1-Bn for sheet set B.

Strasbourg teaches the front surfaces of the sheets in the second sheet set (B) each having a second engagement portion at the second engagement location (see area of B1-Bn of the second sheet set (B) in figure 1); the sheets in the first sheet set (A) and at least one sheet between the sheets in the second sheet set (B) (examiner notes that this is the sheets in sheet set (A)) having cutouts at the second engagement location (see comparison of sheets 1 and 2 in area of B1 of figure 1) so that the second engagement portions are serially engaged at the second engagement location (B1-Bn) and exposed by continuously gripping the book at the second engagement location (B1-Bn) and flipping the plurality of sheets from back to front without engaging the front surfaces of the at least one sheet between sheets in the second sheet set (B) (examiner notes that this is the sheets in sheet set (A)); thereby serially exposing the front surfaces of the sheets (n) in the second sheet set (B) without exposing the front surfaces of the at least one sheet in the first sheet set (A) between sheets in the second sheet set (B) (examiner notes that this is the sheets in sheet set (A)). See figure 1 which shows the engagement areas of B1-Bn for sheet set B and the engagement areas of A1-An for sheet set A.

Strasbourg teaches the plurality of sheets (n) further comprising a sheet (see reference number (n) on the sheet shown in figure 3) that directly overlies one of the sheets (see reference number (n-1) on the sheet shown in figure 3) in the first sheet set (A). As shown in figure 3,

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when the book is opened between sheets (n) and (n-1) the same sheet set (A) fully exposes two sheets of the same sheet set (A) for view simultaneously (see figure 3).

Re claims 45-49, the shape of the sheets and sheet sets are shown in figures 1-3 of Strasbourg.

Re claim 44 and 52-55, Strasbourg does not disclose the first sheet set (A) and second sheet set (B) of different "related materials" (markings or printed matter); or the sheet that directly overlies one of the sheets in the first sheet set with a back surface of the same type of "related material" (markings or printed matter).

Re claims 50-52, Strasbourg teaches the use of sheet sets, but does not expressly show through the drawings the use of third and fourth sheet sets.

Strasbourg discloses the claimed invention except for the specific arrangement and/or content of indicia (printed matter or "related material" as defined in claims 43-55, for example) set forth in the claims. It has been held that when the claimed printed matter is not functionally related to the substrate it will not distinguish the invention from the prior art in terms of patentability. In re Gulack, 217 USPQ 401, (CAFC 1983). The fact that the content of the printed matter placed on the substrate may render the device more convenient by providing an individual with a specific type of material does not alter the functional relationship. Mere support by the substrate for the printed matter is not the kind of functional relationship necessary for patentability.

The examiner asserts that the sheets comprising printed matter in Strasbourg is the same structure claimed by Applicant and the sole difference is in the content of the printed material.

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Thus, there is no novel and unobvious functional relationship between the printed matter (different related material) and the substrate (the sheets) which is required for patentability.

Accordingly, there being no functional relationship of the printed material to the substrate, as noted above, there is no reason to give patentable weight to the content of the printed matter which, by itself, is non-statutory subject matter.

Strasbourg discloses the claimed invention except for the third and fourth sheet sets. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Strasbourg to include third and fourth sets since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. In this instance, Strasbourg teaches the specifics of the details of combining sheet sets as claimed. There is nothing limiting in the structure of Strasbourg that would prevent the duplication of specific design of the sheet sets in the book taught by Strasbourg for the purpose of including more information within a book.

Response to Arguments

3. Applicant's arguments with respect to claims 44-56 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

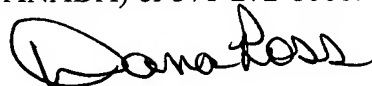
4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dana Ross whose telephone number is 571-272-4480. The examiner can normally be reached on Mon-Thurs.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Monica Carter can be reached on 571-272-4475. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Dana Ross
Primary Examiner
Art Unit 3722


dmr